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NOV - 8 2006

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

2006 NOV - 9 AM 11:09

LORETTA G. WHYTE  
CLERK

DOCKET NO. 1657

OCT 23 2006

FILED  
CLERK'S OFFICE**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY  
LITIGATION****(SEE ATTACHED SCHEDULE)****CONDITIONAL TRANSFER ORDER (CTO-69)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 4,677 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Jeffrey N. Lüthi  
Clerk of the PanelInasmuch as no objection is  
pending at this time, the  
stay is lifted.

NOV - 8 2006

CLERK'S OFFICE  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION  
Deputy Clerk, U.S. District Court  
Eastern District of Louisiana  
New Orleans, LACLERK'S OFFICE  
A TRUE COPY

NOV 13 2006

Fee \_\_\_\_\_  
 Process \_\_\_\_\_  
 Dktd \_\_\_\_\_ *referred*  
 CtRmDep \_\_\_\_\_  
 Doc. No. *8669*

**SCHEDULE CTO-69 - TAG-ALONG ACTIONS  
DOCKET NO. 1657  
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY  
LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<b>EDLA SEC. L/3</b>
ALABAMA MIDDLE		
ALM 1 06-849	Donna Harrell, et al. v. Merck & Co., Inc., et al. Vacated 10/30/06	06-9691
ALM 1 06-876	Connie Singletary v. Merck & Co., Inc.	06-9692
ALM 2 06-865	Lille B. Vickers v. Merck & Co., Inc.	
ALABAMA NORTHERN		
ALN 2 06-1878	Patricia Blodgett, et al. v. Merck & Co., Inc.	06-9693
ALN 2 06-1934	Larry W. Hill, Sr., et al. v. Merck & Co., Inc.	06-9694
ALN 2 06-1935	Juanita M. Rutherford v. Merck & Co., Inc.	06-9695
ALN 2 06-1937	Joan C. Addy v. Merck & Co., Inc.	06-9696
ALN 2 06-1938	Paul G. Batz, et al. v. Merck & Co., Inc.	06-9697
ALN 2 06-1942	Marlin King v. Merck & Co., Inc.	06-9698
ALN 2 06-1953	Rose Ellen Stewart v. Merck & Co., Inc.	06-9699
ALN 2 06-1954	Billy G. Smith, Jr. v. Merck & Co., Inc.	06-9700
ALN 2 06-1966	Robert Brady, et al. v. Merck & Co., Inc.	06-9701
ALN 3 06-1940	Donald G. Sharp, et al. v. Merck & Co., Inc.	06-9702
ALABAMA SOUTHERN		
ALS 1 06-593	Roy E. Faircloth, Sr. v. Merck & Co., Inc.	06-9703
ALS 1 06-594	Joy Donald v. Merck & Co., Inc.	06-9704
ARKANSAS EASTERN		
ARE 4 06-1319	Dorothy White v. Merck & Co., Inc.	06-9705
CALIFORNIA CENTRAL		
CAC 2 06-6143	Gouthami Mandava v. Merck & Co., Inc.	06-9706
CAC 2 06-6198	Carmen Hill v. Merck & Co., Inc.	06-9707
CALIFORNIA EASTERN		
CAE 2 06-2079	Freeman Herring v. Merck & Co., Inc., et al. Opposed 11/8/06	
CAE 2 06-2093	James E. Chase, et al. v. Merck & Co., Inc.	06-9708
CAE 2 06-2102	Stanley Timone v. Merck & Co., Inc.	06-9709
CAE 2 06-2103	Mabel Williamson, et al. v. Merck & Co., Inc.	06-9710
CALIFORNIA NORTHERN		
CAN 3 06-5760	Douglas J. Trammell, et al. v. Merck & Co., Inc.	06-9711
DISTRICT OF COLUMBIA		
DC 1 06-1659	Charles E. Godfrey, et al. v. Merck & Co., Inc.	06-9712
FLORIDA MIDDLE		
FLM 5 06-337	Richard Wolf v. Merck & Co., Inc.	06-9713
FLM 5 06-355	Chris Richardson v. Merck & Co., Inc., et al.	06-9714
FLM 8 06-1785	Jean Little, et al. v. Merck & Co., Inc.	06-9715
GEORGIA MIDDLE		
GAM 4 06-112	Peggy Brooks v. Merck & Co., Inc.	06-9716
GAM 5 06-343	Tommie Felton v. Merck & Co., Inc.	06-9717

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA SEC. L/3</u>
GEORGIA NORTHERN		
GAN 1 06-2223	William Robert Holley v. Merck & Co., Inc.	06-9718
GAN 1 06-2224	Willie Lee Sherod, etc. v. Merck & Co., Inc.	06-9719
GAN 1 06-2225	Patrick Corcoran v. Merck & Co., Inc.	06-9720
GAN 1 06-2321	Virginia R. Burr, et al. v. Merck & Co., Inc.	06-9721
GAN 3 06-92	Wanda Beth Campbell v. Merck & Co., Inc.	06-9722
HAWAII		
HI 1 06-504	Carlos Keen, et al. v. Merck & Co., Inc.	06-9723
HI 1 06-505	Anthony Maldonado, et al. v. Merck & Co., Inc.	06-9724
HI 1 06-506	Joseph D. Barona v. Merck & Co., Inc.	06-9725
HI 1 06-507	Adriadna Mitchell v. Merck & Co., Inc.	06-9726
HI 1 06-508	Mark Johnasen, et al. v. Merck & Co., Inc.	06-9727
HI 1 06-509	Robert Okawa, et al. v. Merck & Co., Inc.	06-9728
HI 1 06-521	Pedro U. Magno, Sr., et al. v. Merck & Co., Inc.	06-9729
IDAHO		
ID 2 06-389	Vicky Tibbets v. Merck & Co., Inc.	06-9730
ILLINOIS NORTHERN		
ILN 1 06-5050	Maya Yarovinsky v. Merck & Co., Inc.	06-9731
ILN 1 06-5134	Diana Stockwell, etc. v. Merck & Co., Inc.	06-9732
ILN 1 06-5234	Richard Volkman v. Merck & Co., Inc.	06-9733
ILN 1 06-5300	Genwefa Wrobel v. Surender Lal, M.D., et al.	06-9734
ILN 1 06-5301	Nello Vittorini v. William Monaco, M.D., et al.	06-9735
ILN 1 06-5302	Mark Fiebig v. Merck & Co., Inc.	06-9736
ILN 1 06-5304	Sandra Catuara, et al. v. Merck & Co., Inc.	06-9737
ILLINOIS SOUTHERN		
ILS 3 06-737	Charles F. Stalnaker, et al. v. Merck & Co., Inc.	06-9738
ILS 3 06-745	Richard Klene, etc. Merck & Co., Inc., et al.	06-9739
INDIANA NORTHERN		
INN 3 06-579	Deeb Azar, et al. v. Merck & Co., Inc.	06-9740
KANSAS		
KS 2 06-2420	Adam Susz, etc. v. Merck & Co., Inc.	06-9741
KS 5 06-4109	John Beers v. Merck & Co., Inc.	06-9742
MASSACHUSETTS		
MA 1 06-11667	Eldridge Bernard, et al. v. Merck & Co., Inc.	06-9743
MINNESOTA		
MN 0 06-3794	Nancy Ernst v. Merck & Co., Inc.	06-9744
MN 0 06-3809	Kathlin Johnson, et al. v. Merck & Co., Inc.	06-9745
MN 0 06-3842	Ernestene Burkett v. Merck & Co., Inc.	06-9746
MN 0 06-3843	William C. Malloy v. Merck & Co., Inc.	06-9747
MN 0 06-3854	Shirley McPherson v. Merck & Co., Inc.	06-9748
MN 0 06-3874	Alan Foote v. Merck & Co., Inc.	06-9749
MN 0 06-3875	David Lindsay, Sr., et al. v. Merck & Co., Inc.	06-9750
MN 0 06-3902	Marnie Andolina, et al. v. Merck & Co., Inc., et al.	06-9751
MN 0 06-3903	Joanne A. Carrigan, et al. v. Merck & Co., Inc., et al.	06-9752
MN 0 06-3904	Charles Cox, et al. v. Merck & Co., Inc., et al.	06-9753
MN 0 06-3905	Samuel G. Barone, et al. v. Merck & Co., Inc., et al.	06-9754
MN 0 06-3909	Mary D'Angelo, et al. v. Merck & Co., Inc., et al.	06-9755
MISSOURI EASTERN		
MOE 4 06-1347	Shoena Clayton, et al. v. Merck & Co., Inc.	06-9756
MOE 4 06-1372	Forrest Lincoln, et al. v. Merck & Co., Inc., et al. Opposed 11/8/06	

DIST. DIV. C.A. #

## CASE CAPTION

EDLA  
SEC. L/3

MISSOURI WESTERN  
MOW 4 06-818

Jo Levitt v. Merck & Co., Inc.

06-9757

## MISSISSIPPI NORTHERN

~~Michael A. Collier v. Merck & Co., Inc., et al.~~ Opposed 11/8/06  
Charlotte Lafayette, etc. v. Merck & Co., Inc.  
Emma Lee Bass v. Merck & Co., Inc.  
Mary S. Grant v. Merck & Co., Inc.  
Estate of Cynthia Houston v. Merck & Co., Inc.  
Estate of Lillie M. King v. Merck & Co., Inc.  
Estate of Hattie Spain v. Merck & Co., Inc.  
Reases Pittman v. Merck & Co., Inc.  
Estate of Mary Frances Sheedy v. Merck & Co., Inc.  
Bessie McIntosh v. Merck & Co., Inc.

06-9758  
06-9759  
06-9760  
06-9761  
06-9762  
06-9763  
06-9764  
06-9765  
06-9766

## MISSISSIPPI SOUTHERN

Jessie T. Mathes, Jr., et al. v. Merck & Co., Inc.  
Arthur Camphor, et al. v. Merck & Co., Inc.  
Frank L. Smith, et al. v. Merck & Co., Inc.

06-9767  
06-9768  
06-9769

## NEBRASKA

NE	4	06-3219
NE	8	06-611
NE	8	06-612
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NE	8	06-615
NE	8	06-616
NE	8	06-617
NE	8	06-618
NE	8	06-619
NE	8	06-620
NE	8	06-621
NE	8	06-622
NE	8	06-623
NE	8	06-627
NE	8	06-628
NE	8	06-629

Billy B. Kehlbeck, et al. v. Merck & Co., Inc.  
Patrick J. John v. Merck & Co., Inc.  
Samuel J. Johnson v. Merck & Co., Inc.  
Alfred J. Kortum v. Merck & Co., Inc.  
Stephen Krupa v. Merck & Co., Inc.  
Patrick Vaughn v. Merck & Co., Inc.  
Violet D. Hileman v. Merck & Co., Inc.  
Don Sutton, etc. v. Merck & Co., Inc.  
Ronald Evelyn v. Merck & Co., Inc.  
Virgil Freeman v. Merck & Co., Inc.  
David Schneider v. Merck & Co., Inc.  
Edward Bass v. Merck & Co., Inc.  
Ethel A. Barmes v. Merck & Co., Inc.  
Joseph John Toczek v. Merck & Co., Inc.  
Hazel Sutton, etc. v. Merck & Co., Inc.  
Robin J. Martinez v. Merck & Co., Inc.  
Thomas B. Mullen v. Merck & Co., Inc.

06-9770  
06-9771  
06-9772  
06-9773  
06-9774  
06-9775  
06-9776  
06-9777  
06-9778  
06-9779  
06-9780  
06-9781  
06-9782  
06-9783  
06-9784  
06-9785  
06-9786

## NEW JERSEY

NJ 3 06-4415

Steve Heusted, et al. v. Merck & Co., Inc.

06-9787

NEVADA

NV 2 06-1215  
NV 2 06-1216  
NV 2 06-1217  
NV 3 06-495

Albin Knudson v. Merck & Co., Inc.  
Julia C. Mortell, et al. v. Merck & Co., Inc.  
Arthur L. Sher v. Merck & Co., Inc.  
Lee Johnson, et al. v. Merck & Co., Inc.

06-9788  
06-9789  
06-9790  
06-9791

## OHIO NORTHERN

OHN	1	06-2193
OHN	1	06-2236
OHN	1	06-2237
OHN	1	06-2238
OHN	1	06-2239
OHN	1	06-2241
OHN	3	06-2180
OHN	3	06-2221
OHN	3	06-2235
OHN	4	06-2240

Vincent S. Zingale, Sr. v. Merck & Co., Inc.  
 Ruby Cowan, et al. v. Merck & Co., Inc.  
 Ben Bisaroe v. Merck & Co., Inc.  
 Louis Horvath, et al. v. Merck & Co., Inc.  
 Robert Neal v. Merck & Co., Inc.  
 James Slumber, et al. v. Merck & Co., Inc.  
 Leitha J. Loppe v. Merck & Co., Inc.  
 Walter Scoble, et al. v. Merck & Co., Inc.  
 Welston Nickelson, etc. v. Merck & Co., Inc.  
 Linda Thornton v. Merck & Co., Inc.

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u> <u>SEC. L/3</u>
OHIO SOUTHERN OHS 2 06-774	Marie Moore v. Merck & Co., Inc.	06-9802
OKLAHOMA EASTERN OKE 6 06-374	Homer Jones v. Merck/Vioxx Corp.	06-9803
OKLAHOMA EASTERN OKE 6 06-386	Howard Hess, etc. v. Merck & Co., Inc.	06-9804
OKLAHOMA NORTHERN OKN 4 06-490	Charles Tuttle v. Merck & Co., Inc.	06-9805
OKLAHOMA WESTERN OKW 5 06-1004	Deeann Marie Taylor, etc. v. Merck & Co., Inc.	06-9806
PENNSYLVANIA EASTERN PAE 2 06-3872	Lucille Paul, et al. v. Merck & Co., Inc., et al.	06-9807
PENNSYLVANIA EASTERN PAE 2 06-4137	Barbara E. Wolfe, etc. v. Merck & Co., Inc.	06-9808
PENNSYLVANIA EASTERN PAE 2 06-4138	John C. Slembarski, et al. v. Merck & Co., Inc.	06-9809
PENNSYLVANIA EASTERN PAE 2 06-4139	Deborah Heisey-Dewolf, et al. v. Merck & Co., Inc.	06-9810
PENNSYLVANIA EASTERN PAE 2 06-4140	Edwin C. Hench, et al. v. Merck & Co., Inc.	06-9811
PENNSYLVANIA EASTERN PAE 2 06-4141	Kathy Gibson, etc. v. Merck & Co., Inc.	06-9812
PENNSYLVANIA EASTERN PAE 2 06-4142	Nancy Scott, et al. v. Merck & Co., Inc.	06-9813
PENNSYLVANIA EASTERN PAE 2 06-4143	Marilyn J. Osiecki, et al. v. Merck & Co., Inc.	06-9814
PENNSYLVANIA EASTERN PAE 2 06-4144	Pedro Gonzales, Jr., et al. v. Merck & Co., Inc.	06-9815
PENNSYLVANIA WESTERN PAW 2 06-1197	Richard Craska v. Merck & Co., Inc.	06-9816
PENNSYLVANIA WESTERN PAW 2 06-1246	Rebecca Catherine Kovach, et al. v. Merck & Co., Inc.	06-9817
SOUTH DAKOTA SD 5 06-5073	Ronald Luers Soelzer v. Merck & Co., Inc.	06-9818
TEXAS EASTERN TXE 2 06-377	Shirley Crager, et al. v. Merck & Co., Inc.	06-9819
TEXAS EASTERN TXE 2 06-378	E.L. Brady, Sr. et al. v. Merck & Co., Inc.	06-9820
TEXAS EASTERN TXE 2 06-379	Joyce Arnold, et al. v. Merck & Co., Inc.	06-9821
TEXAS EASTERN TXE 2 06-380	Glenda Grimes, et al. v. Merck & Co., Inc.	06-9822
TEXAS NORTHERN TXN 2 06-246	Sheila Dorman v. Merck & Co., Inc.	06-9823
TEXAS NORTHERN TXN 3 06-1703	Nicklett Knight v. Merck & Co., Inc.	06-9824
TEXAS SOUTHERN TXS 2 06-404	Delia Cantu, et al. v. Merck & Co., Inc., et al. Opposed 11/1/06	
TEXAS SOUTHERN TXS 7 06-253	Noemi Guzman Mata v. Merck & Co., Inc., et al. Opposed 11/1/06	
TEXAS SOUTHERN TXS 7 06-255	Maria Dolores Herrera, et al. v. Merck & Co., Inc., et al. Opposed 11/1/06	
TEXAS WESTERN TXW 5 06-785	Richard Rodriguez, et al. v. Merck & Co., Inc., et al. Opposed 11/1/06	
UTAH UT 2 06-761	Francis Luton, et al. v. Merck & Co., Inc.	06-9825
VIRGINIA EASTERN VAE 1 06-1036	Jane Fitzgerald, etc. v. Merck & Co., Inc.	06-9826